

Date of Hearing: April 11, 2023

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 332 (Lee) – As Introduced January 30, 2023

**SUBJECT:** Rabies control data.

**SUMMARY:** Requires the California Department of Public Health (CDPH) to collect specified data from public animal shelters as part of their annual rabies control activities reporting.

**EXISTING LAW:**

- 1) Governs the operation of animal shelters by, among other things, setting a minimum holding period for stray dogs, cats, and other animals, and requiring animal shelters to ensure that those animals, if adopted, are spayed or neutered and, with exceptions, microchipped. (Food and Agricultural Code (FAC) §§ 30501 *et seq.*; § 31108.3; §§ 31751 *et seq.*; §§ 32000 *et seq.*)
- 2) Requires all public and private animal shelters to keep accurate records on each animal taken up, medically treated, or impounded, which shall include all of the following information and any other information required by the Veterinary Medical Board of California:
  - a) The date the animal was taken up, medically treated, euthanized, or impounded.
  - b) The circumstances under which the animal was taken up, medically treated, euthanized, or impounded.
  - c) The names of the personnel who took up, medically treated, euthanized, or impounded the animal.
  - d) A description of any medical treatment provided to the animal and the name of the veterinarian of record.
  - e) The final disposition of the animal, including the name of the person who euthanized the animal or the name and address of the adopting party. These records shall be maintained for three years after the date on which the animal's impoundment ends.

(FAC § 32003)

- 3) Defines “rabies” including both rabies and any other animal disease dangerous to human beings that may be declared by the CDPH. (Health and Safety Code (HSC) § 121575)
- 4) Requires the CDPH to make a preliminary investigation whenever any case of rabies is reported as to whether the disease exists, and as to the probable area of the state in which the population or animals are endangered. (HSC § 121595)
- 5) Authorizes the CDPH to institute special measures of control to supplement the efforts of the local authorities in any county or city whenever it becomes necessary in the judgment of the department, to enforce the state's rabies control laws. (HSC § 121665)

- 6) Requires every owner of a dog, after the dog attains the age of four months, to secure a license for the dog as provided by ordinance of the responsible city, city and county, or county. (HSC § 121690(a))
- 7) Requires every owner of a dog, after the dog attains the age of three months or older and at intervals of time not more often than once a year, as may be prescribed by the CDPH, to procure its vaccination by a licensed veterinarian with a canine anti-rabies vaccine approved by the department and administered according to the vaccine label. (HSC § 121690(b)(1))
- 8) Specifies that the responsible city and county retains documentation of any exemption, unless a licensed veterinarian determines, on an annual basis, that a rabies vaccination would endanger the dog's life due to disease or other considerations, the veterinarian can verify and document; the responsible city, county, or city and county, may specify the means by which a dog's owner is required to provide proof of the dog's rabies vaccination, including, but not limited to, by electronic transmission or facsimile. (HSC § 121690(b)(1-2))
- 9) Allows for exemptions from an approved form developed and approved by the CDPH, which must be signed by the veterinarian explaining the inadvisability of the vaccination and a signed statement by the dog owner affirming that the owner understands the consequences and accepts all liability associated with owning a dog that has not received the canine anti-rabies vaccine. (HSC § 121690(b)(2))
- 10) Directs this requested information be submitted to the local county health officer, who may issue an exemption from the canine anti-rabies vaccine; requires local county health offices to report exemptions to the CDPH. (HSC § 121690(b)(3))
- 11) Specifies that any exempted canines from its local city and county vaccination requirements of this section be considered unvaccinated. (HSC § 121690(b)(4))
- 12) Exempts from the vaccination requirements, at the discretion of the local health officer or the officer's designee, be confined to the premises of the owner, keeper, or harbor and, when off the premises, shall be on a leash the length of which shall not exceed six feet and shall be under the direct physical control of an adult. (HSC § 121690(b)(5))
- 13) Requires the governing body of each city, city and county, or county to maintain or provide for the maintenance of an animal shelter system and a rabies control program. (HSC § 121690(e)(1))

**THIS BILL:**

- 1) Requires the CDPH to collect the following rabies control program data from each local government annually, or quarterly if deemed necessary by the CDPH:
  - a) Total number of dogs and cats licensed.
  - b) Citations issued for dog and cat license violations.
  - c) Number of public vaccination clinics held.
  - d) Total number of dogs and cats vaccinated or licensed at public clinics.

- e) Number of domestic dogs and cats received by local animal control authorities, including, but not limited to, number surrendered by owner, by the public, or transferred from other shelters.
- f) Number of domestic dogs and cats discharged by local animal control authorities, including, but not limited to, number reclaimed by owner, adopted, relinquished to a rescue organization, euthanized, died, or transferred to another shelter.
- g) Animal bite data deemed necessary by the department.
- h) Animal rabies quarantine data deemed necessary by the department.
- i) Any other data deemed necessary by the department.

**FISCAL EFFECT:** Unknown; this bill is keyed fiscal by Legislative Counsel.

**COMMENTS:**

**Purpose.** This bill is sponsored by **Social Compassion in Legislation**. According to the author:

“The official state pet is the ‘Shelter Pet.’ AB 332 will help provide important data about shelter animals so that resources are better optimized to find more pets their forever homes. State, local jurisdictions, and nonprofits invest hundreds of millions of dollars in our shelter system to save animals’ lives. Yet the data these entities rely on to direct these resources is no longer available. This transparency will ensure that the state and other entities are able to direct funding efficiently to shelters with the greatest need, while also giving policymakers a more complete picture of the pet overpopulation problem to make informed policy decisions.”

**Background.**

*Rabies Control Data Collection.* The CDPH collects and analyzes data in order to monitor the prevalence and distribution of rabies in California and develop strategies to prevent and control its spread. The CDPH collects rabies control data through several mechanisms. Veterinarians, animal control agencies, and laboratories are required to report any suspected or confirmed cases of rabies to the CDPH. Additionally, the CDPH requires that all dogs over the age of four months be vaccinated against rabies and that the vaccination be kept up-to-date. Veterinarians are required to report rabies vaccination information to the CDPH, including the name and address of the owner, the date of vaccination, and the type of vaccine used. Health care providers, animal control agencies, and law enforcement are also required to report any animal bite incidents to the CDPH.

From 1995 through 2016, the CDPH requested a variety of data from city and county animal shelters as part of its annual rabies control activities reporting. Much of the data was considered useful to advocates and policymakers, who used the information to identify regions of the state where certain program support was needed to reduce euthanasia rates and other adverse outcomes for animals in shelters. The author argues that the data was particularly valuable for prioritizing funding.

However, the CDPH reduced the categories of data it collects from public animal shelters beginning in 2017, excluding information pertaining to animals received and discharged. The intent of this bill is to restore the collection of the data. This would include data specifically relating to dog and cat licensing, vaccinations, and certain dog bite and quarantine data. The CDPH would also be required to collect data on the number of domestic dogs and cats discharged by local animal control authorities, including, but not limited to, number reclaimed by owner, adopted, relinquished to a rescue organization, euthanized, died, or transferred to another shelter.

The author believes that by pinpointing geographically where the highest need and overpopulation exists, the CDPH will have a tool for local and state policymakers to manage existing resources. The information previously reported to the state provided helpful data and illustrated exactly where certain activities were taking place. By sharing the data with the CDPH, city and county shelters, along with their vast network of California's rescue community, are able to best appropriate their resources to areas in most need.

### **Current Related Legislation.**

AB 595 (Essayli) would require that all animal shelters provide public notice at least 72 hours before euthanizing any animal with information that includes the scheduled euthanasia date and requires the California Department of Food and Agriculture to conduct a study on animal shelter overcrowding and the feasibility of a statewide database for animals scheduled to be euthanized. *This bill is pending in this committee.*

AB 1399 (Friedman) would expand the authority of a licensed veterinarian to practice through telehealth. *This bill is pending in this committee.*

### **Prior Related Legislation.**

AB 1881 (Santiago) from 2022 would have required every public animal control agency, shelter, or rescue group to conspicuously post or provide a copy of a Dog and Cat Bill of Rights. *This bill died on the Senate Floor.*

AB 2723 (Holden, Chapter 549, Statutes of 2022) established additional requirements on various types of public animals related to microchip registration and the release of dogs and cats. (

AB 588 (Chen, Chapter 430, Statutes of 2019) required any shelter or rescue group in California disclose when a dog with a bite history when it is being adopted out.

ACR 153 (Santiago, Chapter 72, 2018) urged communities in California to implement policies that support the adoption of healthy cats from shelters by 2025.

AB 2791 (Muratsuchi, Chapter 194, Statutes of 2018) permitted a puppy or kitten that is reasonably believed to be unowned and is impounded in a shelter to be immediately made available for release to a nonprofit animal rescue or adoption organization before euthanasia.

SB 1785 (Hayden, Chapter 752, Statutes of 1998) would have established that the State of California's policy is that no adoptable animal should be euthanized if it can be adopted into a suitable home.

### ARGUMENTS IN SUPPORT:

This bill is supported by the **Social Compassion in Legislation (SCIL)**. According to the SCIL: “AB 332 will give the state, local jurisdictions, and philanthropic organizations critical visibility into shelter needs to ensure funds are most effectively and efficiently targeted, while giving lawmakers a complete picture of animal intakes and outcomes by region as they propose legislative solutions.”

This measure is also supported by the **Do Good International, Faith Action for All, Grassroots Coalition, Outta the Cage, Take Me Home, The Animal Rescue Mission, TippedEars, Vegan Flag, and Women United For Animal Welfare**. According to the groups listed above: “We write in support of AB 332 and to thank you for authoring this important legislation. The bill would require the Department of Public Health to resume collecting specified data, including intake figures and categories of outcomes such as adoptions and euthanasia, from public animal shelters as part of their annual rabies control activities reporting.”

### ARGUMENTS IN OPPOSITION:

None on file.

### AMENDMENTS:

At the request of the author, narrow the scope of the bill by amending the proposed language in (e)(3) as follows:

(3) Rabies control program data collected shall include all of the following:

(A) Total number of dogs and cats licensed.

~~(B) Citations issued for dog and cat license violations.~~

~~(C)~~(B) Number of public ~~vaccination clinics held~~; *rabies vaccinations administered*.

~~(D) Total number of dogs and cats vaccinated or licensed at public clinics.~~

~~(E)~~(C) Number of domestic dogs and cats received by local animal control authorities, including, but not limited to, number surrendered by owner, by the public, or transferred from other shelters.

~~(F)~~(D) Number of domestic dogs and cats discharged by local animal control authorities, including, but not limited to, number reclaimed by owner, adopted, relinquished to a rescue organization, euthanized, died, or transferred to another shelter.

~~(G) Animal bite data deemed necessary by the department.~~

~~(H) Animal rabies quarantine data deemed necessary by the department.~~

~~(I)~~(E) Any other data deemed necessary by the department.

**REGISTERED SUPPORT:**

Social Compassion in Legislation (*Sponsor*)  
Compassionate Bay  
Do Good International  
Faith Action for All  
Grassroots Coalition  
Humane Decisions  
In Defense of Animals  
Los Angeles Alliance for Animals  
Los Gatos Plant-based Advocates  
Our Honor  
Outta the Cage  
Project Minnie  
San Diego Humane Society and SCPA  
Start Rescue  
Take Me Home  
The Animal Rescue Mission  
Tippedears  
Vegan Flag  
Women United for Animal Welfare  
128 Individuals

**REGISTERED OPPOSITION:**

None on file.

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